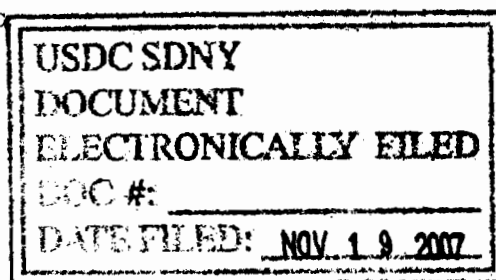


MILLER & WRUBEL P.C.  
ATTORNEYS  
250 PARK AVENUE  
NEW YORK, NEW YORK 10177-0699  
(212) 336-3500



WRITER'S DIRECT NUMBER

(212) 336-3504  
E-mail  
cjacob@mw-law.com

FACSIMILE  
(212) 336-3555

November 16, 2007

**BY HAND DELIVERY**

Hon. Laura T. Swain  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 755  
New York, New York 10007

**MEMO ENDORSED**

Re: ***Lydian Private Bank, d/b/a VirtualBank v. Steven M. Leff,  
Richard A. Leff, Rachel M. Leff, and National Settlement Agency, Inc.  
07-CIV-8173 (LTS)***

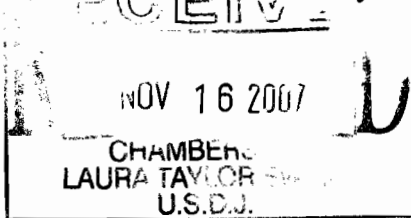
Dear Judge Swain:

We represent plaintiff Lydian Private Bank, d/b/a VirtualBank ("Lydian"). We write to request on behalf of Lydian and defendant Richard A. Leff ("Richard Leff") a brief extension of those parties' time to submit the Preliminary Pretrial Statement to the Court.

Lydian and Richard Leff are the only parties actively litigating this matter. Defendants NSA and Steven M. Leff have defaulted; Lydian's motion for a default judgment against them will be submitted next week. This week, defendant Rachel M. Leff filed for bankruptcy in the Eastern District of New York.

Your Honor's Initial Conference Order dated September 21, 2007 scheduled a conference for November 30 and provided for the Preliminary Pretrial Statement be submitted a week before that date, which is November 23. While I and Jonathan Bruno, counsel for Richard Leff, have conferred as required by the Initial Conference Order, our progress on the Preliminary Pretrial Statement has been impeded to some extent by recent developments involving parties other than our clients. In addition, this year November 23 is the Friday after Thanksgiving, which poses logistical problems for both of us.

Accordingly, Lydian and Richard Leff respectfully request two additional business days, to November 27, 2007, to submit the Preliminary Pretrial Statement.

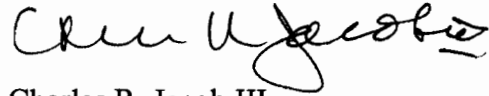


**MILLER & WRUBEL P. C.**

Hon. Laura T. Swain  
November 16, 2007  
Page 2

We appreciate the Court's attention to this matter.

Respectfully submitted,




Charles R. Jacob III

Cc: Jonathan Bruno, Esq., counsel for Richard Leff (by e-mail)  
Richard Leff, General Counsel for NSA, c/o Jonathan Bruno (by e-mail)  
Michael L. Soshnick, Esq., counsel for Steven M. Leff (by e-mail)  
Larry Morrison, Esq., counsel for Rachel M. Leff (by e-mail)

*The request is granted.*

**SO ORDERED.**



11/19/07  
LAURA TAYLOR SWAIN  
UNITED STATES DISTRICT JUDGE